

**FILED IN CLERK'S OFFICE**  
U.S.D.C. Atlanta

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

NOV 10 2011

**JAMES N. HATTEN, CLERK**  
By:  **Deputy Clerk**

MICHAEL TYE,	)	
	)	
Plaintiff,	)	CIVIL ACTION NO.
	)	
v.	)	1:11-cv-00594-JOF
	)	
ADERHOLD PROPERTIES, INC.,	)	
	)	
Defendant.	)	

**ORDER**

This case is before the Court on the parties' Joint Motion To Approve The Settlement Of Plaintiff's Claim Under The Fair Labor Standards Act ("FLSA").

Plaintiff Michael Tye ("Plaintiff") filed this lawsuit on February 27, 2011, claiming FLSA violations during the period of his employment. The parties have agreed to settle this dispute and have filed this Motion seeking approval of the settlement, along with a copy of the proposed settlement agreement.

The parties have agreed to settle the FLSA claims of the plaintiff for the payment by defendant of the amounts identified in the parties' Motion. The amounts are composed of a settlement payment to each plaintiff

representing alleged unpaid back overtime and an equal amount in liquidated damages, plus the payment of plaintiff's attorney's fees and costs.

Having reviewed the parties' Motion and the parties' Settlement Agreement, the Court makes the following findings:

1. This case involves a bona fide dispute as to liability and damages regarding provisions of the Fair Labor Standards Act.
2. In view of the litigation risks faced by each party, the settlement is fair and reasonable as to the plaintiff's claims.
3. After reviewing the statements of services provided by plaintiff's counsel, the attorney's fees and costs defendant shall pay in the amounts identified in the parties' Motion are fair and reasonable.

Based on the foregoing, The Joint Motion To Approve The Settlement Of Plaintiff's Claim Under The Fair Labor Standards Act is hereby **GRANTED**, and the Settlement Agreement between the parties is hereby **APPROVED**.

Defendant is **ORDERED** to pay the plaintiff the settlement amounts identified in the parties' Motion and Settlement Agreement.

Defendant is further **ORDERED** to pay plaintiff's counsel as attorney's fees and costs the total amounts identified in the parties' Motion and Settlement Agreement.

In accordance with the terms of the Settlement Agreement, defendant is **ORDERED** to tender all payments to plaintiff's counsel within ten (10) days after the entry of this Order, and the parties shall thereafter file a stipulation of dismissal with prejudice.

**SO ORDERED**, this 10<sup>th</sup> day of November, 2011.

  
J. OWEN FORRESTER  
United States District Judge